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PROGRESS REPORT OF THE SECRETARY-GENERAL ON THE SITUATION IN TAJIKISTAN

I. INTRODUCTION

1. The present report is submitted pursuant to Security Council resolution 1138 (1997) of 14 November 1997 and brings up to date the record of developments in Tajikistan and the activities of the United Nations Mission of Observers in Tajikistan (UNMOT) since my report of 5 November 1997 (S/1997/859).

II. VIENNA CONFERENCE

2. As foreseen in the General Agreement on the Establishment of Peace and National Accord in Tajikistan (A/52/219-S/1997/510, annex I), the United Nations organized an international donor conference in support of peace and reconciliation in Tajikistan. The conference was hosted by the Government of Austria and took place on 24 and 25 November 1997 in Vienna. Delegations from 45 countries, 15 United Nations agencies, programmes and funds and 17 other international organizations, financial institutions and non-governmental organizations participated. Tajikistan's delegation was led by President Emomali Rakhmonov and included the leader of the United Tajik Opposition (UTO), Mr. Abdullo Nuri, and other members of the UTO. The aim of the conference was to seek an aggregate amount of some $65 million for activities directly related to the implementation of the inter-Tajik agreements, namely, political reconciliation and democratization; demobilization and reintegration of ex-combatants and reform of power structures; repatriation and reintegration of refugees and internally displaced persons; and rehabilitation and development for the communities most affected. The conference resulted in a total of $96 million in pledges, many of which were made for humanitarian and rehabilitation assistance programmes beyond the transitional period. Pledges of approximately $39 million were related specifically to the objectives of the conference.

III. SECURITY CONCERNS

3. While the participants showed strong support for the peace process in Tajikistan, the conference was nevertheless overshadowed by an ongoing hostage

situation in Tajikistan (see below). Many delegations stressed the need to ensure adequate security for the international personnel carrying out the activities they had pledged to support. To date, only one tenth of one per cent of the amounts pledged has been received in the trust fund established by the United Nations Development Programme (UNDP).

4. The hostage situation referred to above developed as follows: on 18 November 1997, two French relief workers were abducted from their home in Dushanbe by a group led by Rizvon Sodirov, the same group that was responsible for the hostage-taking in February 1997. The group demanded the release of Rizvon Sodirov's brother Bakhrom, who is being held by the authorities for his involvement in the February incident. One of the hostages managed to leave the building in Dushanbe where they were being held; the other, and the captors, were killed on 30 November during an exchange of fire with security personnel. In subsequent operations by the security forces, Rizvon Sodirov was killed and several members of his group were arrested. According to the authorities, the two hostages had initially been held in a village near Kofarnikhon in an area under the control of a UTO field commander. The group had also taken a number of Tajik hostages. According to the authorities, three of them were released, six were found dead and the whereabouts of the remaining hostages is unknown.

5. Overall security has remained precarious, especially in the greater Dushanbe area and between Dushanbe and Komsomolabad. The level of criminal activity was high and there were numerous reports of civilians being harassed at government and UTO checkpoints. The ceasefire between the Government and UTO held, with the exception of a confrontation between police and UTO personnel east of Dushanbe on 6 January 1998. Three UTO members were arrested for carrying arms in public and another fighter was found dead. In retaliation, UTO personnel took five hostages in Dushanbe, among them the Deputy Mayor. The hostages were subsequently exchanged for the arrested UTO members. UNMOT has urged the parties to exercise better control and to ensure discipline over their personnel.

6. The hostage-taking underlined the vulnerability of the international personnel in Dushanbe. More than 70 per cent of the international staff serving with humanitarian relief programmes were relocated to the north of Tajikistan and to other countries; several non-governmental organizations suspended their activities. UNMOT has observed a dusk to dawn curfew and maintained a number of other security precautions. On the recommendation of Mr. Gerd Merrem, my Special Representative and the designated official responsible for the security of United Nations personnel in Tajikistan, I approved the concentration of United Nations offices and, in particular, of the private accommodations of United Nations personnel in Dushanbe in a small number of well-guarded premises. While not completely eliminating all risk, which is never possible, it is believed that this step, together with other measures, will help improve the security of the Organization's personnel sufficiently to enable them to perform their functions.

7. The United Nations has asked the Tajik authorities for assistance in identifying suitable premises and preparing them for occupation. While there has been some progress with regard to office space, no solution has been found so far for private accommodations, which is where international personnel are

most vulnerable. The Collective Peacekeeping Forces of the Commonwealth of Independent States (CIS/PKF) have declared their readiness to arrange for the guarding of United Nations premises in Dushanbe. This is in accordance with their mandate to help ensure the security of the personnel of UNMOT, the Organization for Security and Cooperation in Europe (OSCE) and other international organizations. The detailed arrangements are being made between UNMOT and the CIS/PKF.

8. Useful preparatory work was carried out in preparation for the establishment of a joint security unit with the task of providing security, including armed escorts, for United Nations personnel, mainly in the area between Dushanbe and Komsomolabad. However, the presidential decree establishing the unit was issued only on 2 February and the unit is still not operational.

9. In these circumstances, the strengthening of UNMOT has been deferred. To date, 17 additional military observers (59 in all) and 14 additional international staff (31 in all) were sent to Tajikistan. Similarly, the delivery of United Nations programmes to support peace and reconciliation has suffered delays and other United Nations assistance programmes managed from Dushanbe have had to be curtailed.

IV. IMPLEMENTATION OF THE GENERAL AGREEMENT

10. The work of the Commission on National Reconciliation (CNR) on the implementation of the General Agreement proceeded very slowly. On 15 January 1998, the UTO suspended its participation in the CNR in protest over what it called a lack of political will on the part of the Government, citing, inter alia, delays in the incorporation of UTO personalities into the Government, in the repatriation UTO armed personnel from northern Afghanistan and in the implementation of the Amnesty Law, as well as inadequate support for the work of the CNR. The Government, in response, stated that the opposition had failed to submit a list of all candidates to be appointed to government posts, to have all their armed personnel registered, disarmed and assembled, and to exercise effective control over their armed formations east of Dushanbe. Following intervention by my Special Representative and members of the Contact Group of Guarantor States and International Organizations, the UTO resumed its participation in the CNR on 23 January. On the same day, President Rakhmonov agreed that deputy UTO leader Akbar Turajonzodah would be appointed First Deputy Prime Minister, as proposed by Mr. Nuri. The parties also agreed that the Government would speed up the implementation of the Amnesty Law and the UTO would release the remaining prisoners of war, and that both sides would remove illegal checkpoints from the roads.

11. Since then, the UTO has released 67 prisoners of war, although differences remain over their total number. On the part of the Government, the Prosecutor-General has announced that criminal charges against UTO personalities, including four members of its leadership, have been dropped. There are still differences of opinion over the applicability of the Amnesty Law to certain crimes.

12. Intensive discussion has continued on the allocation of senior government positions. The UTO has submitted its list of candidates but agreement appears to have been reached only on some of them. As to Mr. Turajonzodah's appointment, the President had agreed to formalize it upon Turajonzodah's return to Tajikistan. However, Mr. Turajonzodah has stated that he will not return to Tajikistan before a presidential decree on his appointment was issued.

Revision of laws and the Constitution

13. The legal subcommission of the CNR, with the assistance of an expert provided by UNMOT, drew up a concept paper with options for constitutional amendments. OSCE sponsored a second round-table discussion on the Constitution on 27 November.

14. The CNR has prepared draft laws on political parties and public associations, which have been forwarded to the parliament for its review. It is planned to conduct a round-table discussion on this issue, attended by CNR members and representatives of currently registered political organizations. The parliament is to consider the two laws at its next regular session, in June 1998.

15. The Central Commission on Elections and Referenda, in which the UTO is to provide 25 per cent of the members, has not yet been established. For this and for security reasons, it has not been possible so far to set the date for the visit of a joint United Nations/OSCE electoral assessment mission, which has been agreed between the two organizations. It should be noted that a referendum on the revision of the Constitution is to precede the parliamentary elections.

Registration of UTO fighters

16. The registration of UTO fighters in Tajikistan continued in 8 of the 10 assembly areas monitored by UNMOT. To date, some 3,500 fighters have been registered. Registration in Komsomolabad and Magmurud has not yet begun, mainly as a result of internal difficulties within the UTO. A joint CNR/UNMOT team inspected the sites where the UTO fighters are to be assembled. Those at Kofarnikhon, Jirgatal, Tajikabad, Komsomolabad, Vanj and Khorog appear to be ready for use. Facilities in other areas require repair. The United Nations assisted UTO personnel with food, bedding materials and certain other items. UNMOT plans to station additional teams in Tajikabad, Vanj and Komsomolabad to monitor and support the assembly process.

17. Discussions continued on the repatriation of UTO personnel from Afghanistan. On 2 December, the Ambassador of the Russian Federation informed the Contact Group that agreement had been reached to repatriate them through the crossing point at Nizhniy Panj. To expedite this, a mixed military working group was established on 25 December at UNMOT's initiative. The group comprises representatives of the CIS/PKF, the Russian Border Forces, the Tajik Border Forces, the CNR and UNMOT. However, there is reluctance on the part of the Government to allow the UTO personnel from Afghanistan into the country before those already inside Tajikistan have been assembled and brought under proper command and control. Meanwhile, there have been reports that some UTO personnel have already crossed the border, some as refugees. On a few occasions, the

Russian Border Forces in the Kalai-Khumb sector have fired mortars and automatic weapons to deter personnel from crossing. On 28 November, two UTO fighters were killed and two others were arrested by the Russian Border Forces while attempting to cross the border in that sector.

Refugees

18. The repatriation of Tajik refugees from northern Afghanistan was completed on 15 November. A total of 3,158 refugees returned from Sakhi Camp with the assistance of the Government of Uzbekistan. The repatriation of Tajik refugees from other CIS countries started on 13 January 1998 with the departure of 70 refugees from Turkmenistan. The CNR has created a special commission to look into the socio-economic conditions faced by returning refugees, in particular in the Gissar and Khatlon areas.

Humanitarian and rehabilitation activities

19. Humanitarian organizations have initiated winter relief programmes. Distribution of medicine, coal and food, shelter material and reconstruction and capacity-building suffered delays after the hostage-taking incident in November 1997. A broad range of technical assistance activities in the agricultural sector, mainly targeting private farmers, have been undertaken by three United Nations bodies (the World Food Programme (WFP), the United Nations Office for Project Services and the Food and Agriculture Organization of the United Nations (FAO)) and 10 non-governmental organizations in 40 of the country's 51 districts. The United Nations consolidated inter-agency appeal for 1998 will be launched shortly.

V. OBSERVATIONS

20. Since I last reported to the Security Council three months ago, work on the implementation of the General Agreement on the Establishment of Peace and National Accord in Tajikistan has continued at a slow pace. Regrettably, much energy has been consumed by crisis management and the momentum created by the adoption of Security Council resolution 1138 (1997) and by the gratifying support for the peace process at the donor conference in Vienna has not yet been able to be translated into tangible results.

21. Much of the attention of the parties continued to be taken up by the question of the senior government posts to be allocated to the UTO, an issue that has dogged them for several months. While it is understood that this is a difficult process, requiring a delicate balance to be struck within as well as between the two camps, the time has come for resolving this matter.

22. For the remainder of this mandate period, I hope that there will be practical work and tangible progress on such matters as the reintegration of the UTO fighters and the revision of the Constitution and adoption of new laws. I would also encourage the CNR to launch now the broad dialogue among the various political forces, including those not represented in the CNR, as foreseen in the General Agreement. The aim should be to create equal opportunities for all

citizens to participate in the political life of the country and to establish the conditions for free and fair elections as soon as possible.

23. For the United Nations, the safety of its personnel has continued to be a major preoccupation. Security in Tajikistan has been precarious and is likely to remain so for the foreseeable future. The United Nations must, therefore, seek to limit the risks for its personnel to the extent possible, otherwise they will not be able to perform the important functions assigned to the Mission by the General Agreement. I have outlined in this report the simple practical steps that need to be taken in this regard and for which the United Nations must rely on the cooperation and assistance of the Tajik authorities. I trust that they understand the importance of this matter and will accord it the highest priority.

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NOTE VERBALE DATED 12 FEBRUARY 1998 FROM THE PERMANENT MISSION OF THE LIBYAN ARAB JAMAHIRIYA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of the Libyan Arab Jamahiriya to the United Nations presents its compliments to the Secretary-General and has the honour to refer to his summary statement of 9 January 1998 on matters of which the Security Council is seized and on the stage reached in their consideration (S/1998/44) and to the note of 29 August 1996 by the President of the Security Council on the simplification of the list of matters of which the Council is seized (S/1996/704). Because of their vital importance, the Permanent Mission of the Libyan Arab Jamahiriya wishes to have the items set forth hereunder retained on the list of matters of which the Council is seized.

10. Letter dated 3 December 1971 from the Permanent Representatives of Algeria, Iraq, the Libyan Arab Republic and the People's Democratic Republic of Yemen to the United Nations addressed to the President of the Security Council (see S/10462).

18. Request by the Libyan Arab Republic and Pakistan for consideration of the serious situation arising from recent developments in the occupied Arab territories (see S/11935/Add.12).

24. Letter dated 19 February 1983 from the Permanent Representative of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council (see S/15560/Add.8).

25. Letter dated 8 August 1983 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council (see S/15560/Add.32 and 33).

27. Letter dated 22 March 1984 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council (see S/16270/Add.12 and 13).

30. Letter dated 15 April 1986 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council (see S/17725/Add.15 and 16).

33. Letter dated 4 January 1989 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council (see S/20370 and Add.1).

The Permanent Mission of the Libyan Arab Jamahiriya would be most grateful if the Secretary-General would have this note circulated as a document of the Security Council.

UNITED NATIONS **S**

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10. Letter dated 3 December 1971 from the Permanent Representatives of Algeria, Iraq, the Libyan Arab Republic and the People's Democratic Republic of Yemen to the United Nations addressed to the President of the Security Council (see S/10409).

18. Request by the Libyan Arab Republic and Pakistan for consideration of the serious situation arising from recent developments in the occupied Arab territories (see S/11935/Add.12).

24. Letter dated 19 February 1983 from the Permanent Representative of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council (see S/15615).

25. Letter dated 8 August 1983 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council (see S/15914 and Add.33).

27. Letter dated 22 March 1984 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council (see S/16431).

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* Reissued for technical reasons.

30. Letter dated 15 April 1986 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council (see S/17991).

33. Letter dated 4 January 1989 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council (see S/20364).

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